

MICHAEL V. REGNO (26969-081)
 Name and Prisoner/Booking Number
 Phoenix-Federal Correctional Institution
 Place of Confinement
 37910 North 45th Avenue
 Mailing Address
 Phoenix, Arizona 85086-7055
 City, State, Zip Code

<input checked="" type="checkbox"/> FILED	<input type="checkbox"/> LODGED
<input type="checkbox"/> RECEIVED	<input type="checkbox"/> COPY
SEP 30 2024	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	DEPUTY _____

(Failure to notify the Court of your change of address may result in dismissal of this action.)

THIS DOCUMENT IS NOT IN PROPER FORM ACCORDING TO FEDERAL AND/OR LOCAL RULES AND PRACTICES AND IS SUBJECT TO REJECTION BY THE COURT.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

(File Number/Section)

MICHAEL VINCENT REGNO JUNIOR
 (Full Name of Plaintiff)

Plaintiff,

v.

CASE NO.

CV24-02627-PHX-JJT--ASB

(To be supplied by the Clerk)

(1) MARICOPA COUNTY
 (Full Name of Defendant)

(2) JOE ARPAIO

(3) JANE/JOHN DOE

(4)

Defendant(s).

☐ Check if there are additional Defendants and attach page 1-A listing them.

**CIVIL RIGHTS COMPLAINT
BY A PRISONER**

- ☒ Original Complaint
☐ First Amended Complaint
☐ Second Amended Complaint

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

- ☐ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983
☒ 28 U.S.C. § 1331; *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971).
☐ Other: _____

2. Institution/city where violation occurred: _____

B. DEFENDANTS

1. Name of first Defendant: Joe Arpaio. The first Defendant is employed as: Sheriff of Maricopa County at Maricopa County Tent City.
(Position and Title) (Institution)
2. Name of second Defendant: Jane/John Doe. The second Defendant is employed as: Jail Administrators at Maricopa County Tent City.
(Position and Title) (Institution)
3. Name of third Defendant: Jane/John Doe. The third Defendant is employed as: Maricopa County Correction Officers at Maricopa County Tent City.
(Position and Title) (Institution)
4. Name of fourth Defendant: _____. The fourth Defendant is employed as: _____ at _____.
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☐ Yes ☒ No
2. If yes, how many lawsuits have you filed? _____. Describe the previous lawsuits:
 - a. First prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - b. Second prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - c. Third prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION**COUNT I**

1. State the constitutional or other federal civil right that was violated: During Regno's incarceration his Eighth Amendment Constitutional Rights were violated, prohibition against cruel and unusual punishment.
2. **Count I.** Identify the issue involved. Check **only one**. State additional issues in separate counts.

<input checked="" type="checkbox"/> Basic necessities	<input type="checkbox"/> Mail	<input type="checkbox"/> Access to the court	<input type="checkbox"/> Medical care
<input type="checkbox"/> Disciplinary proceedings	<input type="checkbox"/> Property	<input type="checkbox"/> Exercise of religion	<input type="checkbox"/> Retaliation
<input type="checkbox"/> Excessive force by an officer	<input type="checkbox"/> Threat to safety	<input type="checkbox"/> Other: _____	
3. **Supporting Facts.** State as briefly as possible the FACTS supporting Count I. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

Regno, was incarcerated at the Tent City in Maricopa County, Arizona from January 10, 2014 to July 29, 2014 (7 months). During Regno's incarceration his Eighth Amendment Constitutional rights were violated, specifically the Eighth Amendment prohibition against cruel and unusual punishment. During Regno's entire incarceration he was subject to: inadequate sanitation and hygiene, improper clothing and bedding, protection from extreme weather conditions and inadequate in amounts of nutrition and calories.

Regno provides a further explanation in his letter included to this Honorable Court. See, Exhibit A.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

The Plaintiff has no plain, adequate, or complete remedy at law to redress the wrongs described herein. Plaintiff has been and will continue to be irreparably injured, injury that plaintiff describes as "torture" by the conduct of the defendants unless this court grants the declaratory and injunctive relief which plaintiff seeks.
5. **Administrative Remedies:**
 - a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☒ No
 - b. Did you submit a request for administrative relief on Count I? ☐ Yes ☒ No
 - c. Did you appeal your request for relief on Count I to the highest level? ☐ Yes ☒ No
 - d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

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E. REQUEST FOR RELIEF

State the relief you are seeking:

WHEREFORE, Plaintiff respectfully prays that this Court enter judgment granting plaintiff:

1. A declaration that the acts and omissions described herein violated a plaintiff's right under the Constitution and laws of the United States.
2. A Preliminary and permanent injunction ordering defendants to never be allowed around incarcerated individuals in any capacity.
3. Compensatory damages in the amount of \$7,000,000 against defendants, jointly and severally. 4. Punitive damages in the amount of \$7,000,000 against each defendants.
5. A jury on all issues triable by jury. 6. Plaintiff's costs in this suit.
7. Any and all additional relief this Court deems just, proper, and equitable.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

9.23.24

DATE

Michael V. H. R. K.
SIGNATURE OF PLAINTIFF

(Name and title of paralegal, legal assistant, or other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space, you may attach no more than fifteen additional pages. But the form must be completely filled in to the extent applicable. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages.

**Instructions for a Prisoner Filing a Civil Rights Complaint
in the United States District Court for the District of Arizona**

1. Who May Use This Form. The civil rights complaint form is designed to help incarcerated persons prepare a complaint seeking relief for a violation of their federal civil rights. These complaints typically concern, but are not limited to, conditions of confinement. **This form should not be used to challenge your conviction or sentence.** If you want to challenge a state conviction or sentence, you should file a petition under 28 U.S.C. § 2254 for a writ of habeas corpus by a person in state custody. If you want to challenge a federal conviction or sentence, you should file a motion under 28 U.S.C. § 2255 to vacate sentence in the federal court that entered the judgment.
2. The Form. **Local Rule of Civil Procedure (LRCiv) 3.4 provides that complaints by incarcerated persons must be filed on the court-approved form.** The form must be typed or neatly handwritten. The form must be completely filled in to the extent applicable. All questions must be answered clearly and concisely in the appropriate space on the form. If needed, you may attach additional pages, **but no more than fifteen additional pages**, of standard letter-sized paper. You must identify which part of the complaint is being continued and number all pages. If you do not fill out the form properly, you will be asked to submit additional or corrected information, which may delay the processing of your action. You do not need to cite law.
3. Your Signature. You must tell the truth and sign the form. If you make a false statement of a material fact, you may be prosecuted for perjury.
4. The Filing and Administrative Fees. The total fees for this action are \$455.00 (\$350.00 filing fee plus \$55.00 administrative fee). If you are unable to immediately pay the fees, you may request leave to proceed in forma pauperis. Please review the "Information for Prisoners Seeking Leave to Proceed with a (Non-Habeas) Civil Action in Federal Court In Forma Pauperis Pursuant to 28 U.S.C. § 1915" for additional instructions.
5. Original and Judge's Copy. You must send an **original plus one copy** of your complaint and of any other documents submitted to the Court. You must send one additional copy to the Court if you wish to have a file-stamped copy of the document returned to you. All copies must be identical to the original. Copies may be legibly handwritten. **This section does not apply to inmates housed at an Arizona Department of Corrections facility that participates in electronic filing.**
6. Where to File. You should file your complaint in the division **where you were confined when your rights were allegedly violated.** See LRCiv 5.1(a) and 77.1(a). If you were confined in Maricopa, Pinal, Yuma, La Paz, or Gila County, file in the Phoenix Division. If you were confined in Apache, Navajo, Coconino, Mohave, or Yavapai County, file in the Prescott Division. If you were confined in Pima, Cochise, Santa Cruz, Graham, or Greenlee County, file in the Tucson Division. **Unless you are an inmate housed at an Arizona Department of Corrections facility that participates in electronic filing, mail the original and one copy of the complaint with the \$455 filing and administrative fees or the application to proceed in forma pauperis to:**

Phoenix & Prescott Divisions:

U.S. District Court Clerk
U.S. Courthouse, Suite 130
401 West Washington Street, SPC 10
Phoenix, Arizona 85003-2119

OR

Tucson Division:

U.S. District Court Clerk
U.S. Courthouse, Suite 1500
405 West Congress Street
Tucson, Arizona 85701-5010

7. Change of Address. You must immediately notify the Court and the defendants in writing of any change in your mailing address. **Failure to notify the Court of any change in your mailing address may result in the dismissal of your case.**

8. Certificate of Service. You must furnish the defendants with a copy of any document you submit to the Court (except the initial complaint and application to proceed in forma pauperis). Each original document (except the initial complaint and application to proceed in forma pauperis) must include a certificate of service on the last page of the document stating the date a copy of the document was mailed to the defendants and the address to which it was mailed. *See Fed. R. Civ. P. 5(a), (d).* Any document received by the Court that does not include a certificate of service may be stricken. **This section does not apply to inmates housed at an Arizona Department of Corrections facility that participates in electronic filing.**

A certificate of service should be in the following form:

I hereby certify that a copy of the foregoing document was mailed
this _____ (month, day, year) to:

Name: _____

Address: _____

Attorney for Defendant(s)

(Signature)

9. Amended Complaint. If you need to change any of the information in the initial complaint, you must file an amended complaint. The amended complaint must be written on the court-approved civil rights complaint form. You may file one amended complaint without leave (permission) of Court within 21 days after serving it or within 21 days after any defendant has filed an answer, whichever is earlier. *See Fed. R. Civ. P. 15(a).* Thereafter, you must file a motion for leave to amend and lodge (submit) a proposed amended complaint. LRCiv 15.1. In addition, an amended complaint may not incorporate by reference any part of your prior complaint. LRCiv 15.1(a)(2). **Any allegations or defendants not included in the amended complaint are considered dismissed.** All amended complaints are subject to screening under the Prison Litigation Reform Act; screening your amendment will take additional processing time.

10. Exhibits. You should not submit exhibits with the complaint or amended complaint. Instead, the relevant information should be paraphrased. You should keep the exhibits to use to support or oppose a motion to dismiss, a motion for summary judgment, or at trial.


11. Letters and Motions. It is generally inappropriate to write a letter to any judge or the staff of any judge. The only appropriate way to communicate with the Court is by filing a written pleading or motion.

12. Completing the Civil Rights Complaint Form.

HEADING:

1. Your Name. Print your name, prison or inmate number, and institutional mailing address on the lines provided.
2. Defendants. If there are **four or fewer** defendants, print the name of each. If you name **more than four** defendants, print the name of the first defendant on the first line, write the words "and others" on the second line, and attach an additional page listing the names of **all** of the defendants. Insert the additional page after page 1 and number it "1-A" at the bottom.
3. Jury Demand. If you want a jury trial, you must write "JURY TRIAL DEMANDED" in the space below "CIVIL RIGHTS COMPLAINT BY A PRISONER." Failure to do so may result in the loss of the right to a jury trial. A jury trial is not available if you are seeking only injunctive relief.

Part A. JURISDICTION:

1. Nature of Suit. Mark whether you are filing the complaint pursuant to 42 U.S.C. § 1983 for state, county, or city defendants; "*Bivens v. Six Unknown Federal Narcotics Agents*" for federal defendants; or "other." If you mark "other," identify the source of that authority. 
2. Location. Identify the institution and city where the alleged violation of your rights occurred.
3. Defendants. Print all of the requested information about each of the defendants in the spaces provided. If you are naming more than four defendants, you must provide the necessary information about each additional defendant on separate pages labeled "2-A," "2-B," etc., at the bottom. Insert the additional page(s) immediately behind page 2.

Part B. PREVIOUS LAWSUITS:

You must identify any other lawsuit you have filed in either state or federal court while you were a prisoner. Print all of the requested information about each lawsuit in the spaces provided. If you have filed more than three lawsuits, you must provide the necessary information about each additional lawsuit on a separate page. Label the page(s) as "2-A," "2-B," etc., at the bottom of the page and insert the additional page(s) immediately behind page 2.

Part C. CAUSE OF ACTION:

You must identify what rights each defendant violated. The form provides space to allege three separate counts (**one violation per count**). If you are alleging more than three counts, you must provide the necessary information about each additional count on a separate page. Number the additional pages "5-A," "5-B," etc., and insert them immediately behind page 5. Remember that you are limited to a total of fifteen additional pages.

1. Counts. You must identify which civil right was violated. **You may allege the violation of only one civil right per count.**
2. Issue Involved. Check the box that most closely identifies the issue involved in your claim. **You may check only one box per count.** If you check the box marked "Other," you must identify the specific issue involved.
3. Supporting Facts. After you have identified which civil right was violated, you must state the supporting facts. Be as specific as possible. You must state what each individual defendant did to violate your rights. If there is more than one defendant, you must identify which defendant did what act. You also should state the date(s) on which the act(s) occurred, if possible.
4. Injury. State precisely how you were injured by the alleged violation of your rights.
5. Administrative Remedies. You must exhaust any available administrative remedies before you file a civil rights complaint. See 42 U.S.C. § 1997e. Consequently, you should disclose whether you have exhausted the inmate grievance procedures or administrative appeals for each count in your complaint. If the grievance procedures were not available for any of your counts, fully explain why on the lines provided.

Part D. REQUEST FOR RELIEF:

Print the relief you are seeking in the space provided.

SIGNATURE:

You must sign your name and print the date you signed the complaint. Failure to sign the complaint will delay the processing of your action. Unless you are an attorney, you may not bring an action on behalf of anyone but yourself.

FINAL NOTE

You should follow these instructions carefully. Failure to do so may result in your complaint being stricken or dismissed. All questions must be answered concisely in the proper space on the form. If you need more space, you may attach no more than fifteen additional pages. But the form must be completely filled in to the extent applicable. If you attach additional pages, be sure to identify which section of the complaint is being continued and number the pages.

CERTIFICATE OF SERVICE

I, Michael Vincent Regno Jr. Hereby Certify That I Have Served A
True And Correct Copy Of The Following:

Civil Rights Complaint
By A PRISONER.

Which Is Deemed Filed At The Time It Was Delivered To Prison
Authorities For Forwarding. See, Houston v. Lack 101L. Ed. 2d 245
(1988), Upon the defendant/defendants and or his
attorney/attorneys of record, by placing same in a sealed,
postage prepaid envelope addressed to:

U.S. District Court Clerk
U.S. Courthouse, Suite 130
401 West Washington St. SPC 10
Phoenix, AZ 85003-2119

[X] 9589 0710 5270 2068 5945 35
U.S.P.S Certified Mail

and deposited same in the United States mail at: Federal
Correctional Institution 37910 North 45th Ave. Phoenix, AZ 85086.
I Declare, Under Penalty of Perjury (Title 28 U.S.C. §1746), That
The Foregoing Is True And Correct.

Dated This 23rd Day Of September, 2024.

/s/ Michael Vincent Regno Jr.
Michael Vincent Regno Junior
PRO SE

Michael V. Regno
Reg. No. 26969-081
Phoenix-Federal Correctional Institution
37910 North 45th Avenue
Phoenix, Arizona 85086-7055

Date: 9.23.24

To Whom It May Concern:

My name is Michael Vincent Regno Junior, I was incarcerated at Tent City in Maricopa County, Arizona from January 10, 2014 to July 29, 2014. The seven (7) months of incarceration was more like torture. Because of the cruel and sadistic actions and inaction of Administrators and Correctional officers. The sadistic and cruel behavior seemed to be business as usual, at Tent City. I have listed a few of those daily occurrences here; In this letter.

BASIC HUMAN NEED WHERE NOT MET

Sanitation and Hygiene

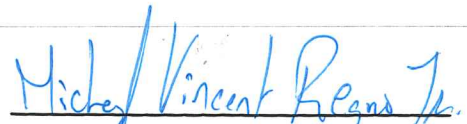
- The porter pottys sent a scent over tent city that was a combination of human feces and vomit.
- The shower room was covered from ceiling and walls with dark black mold, every prison official played Russian Roulette with our lungs. The neighboring chow hall carried the scent of mold as you attempted to eat.
- The food was slop and mingled in the slop was rocks and roaches. I was forced to eat the slop, because routinely the correctional officers would throw away our commissary, for no reason.
- At night, the guards would hit my bunk to wake me up, for no reason. The guards would laugh and think it was funny. I was seriously sleep deprived because of the guards need for sadistic entertainment.

- Medical care was denied routinely, I asked for medical help several times. On one such occasion, the guards brought me to a secluded room, strip searched me and forced me to take a drug test. This was their version of medical help and a cruel type of entertainment.
- Extreme weather conditions create an environment too cold in the winter, no blankets. And in the summer it's too hot, no air conditioner. In turn, creating cruel and unusual conditions.

I am not the first person to bring the court with these claims, there are several media reports, inmate testimonies, and federal cases that have been filed. I am one of many who was subjected to cruel and unusual "torture" at the hands of the government. I may want my day in court, so this never happens again, the fact that it happened in the first place is shameful.

Thank You for reading this letter and for any attention to this matter.

Sincerely,


Michael V. Regno Jr.